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October 18, 1996

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William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W. - Room 222
Washington, D.C. 20554

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OCT 18 1996

Federal Communications Commission
Office of Secretary


Re: **EX PARTE**
IB Docket No. 96-111; ET Docket No. 95-18

Dear Mr. Caton:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, I hereby notify you that I, on behalf of ICO Global Communications ("ICO"), today delivered the attached written ex parte presentation to the following persons: Chairman Reed E. Hundt, Commissioner James H. Quello, Commissioner Rachelle B. Chong, Commissioner Susan Ness, Donald Gips, Michele Farquhar, Roy J. Stewart, Richard M. Smith, Ruth Milkman, Thomas S. Tycz, Cecily C. Holiday and Damon C. Ladson. The attached presentation discusses the issues raised in ICO's comments in the above-captioned proceedings.

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, an original and two copies of this presentation are being submitted to the Office of the Secretary for inclusion in the public record. Please direct any questions or concerns to the undersigned.

Sincerely,



Cheryl A. Tritt

cc: Chairman Reed E. Hundt
Commissioner James H. Quello
Commissioner Rachelle B. Chong
Commissioner Susan Ness
Donald Gips
Michele Farquhar
Roy J. Stewart
Richard M. Smith
Ruth Milkman
Thomas S. Tycz
Cecily C. Holiday
Damon C. Ladson

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Hand Delivery

William F. Caton
Office of the Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

EX PARTE

ET Docket No. 95-18
IB Docket No. 96-111

Re: Declaration of Intent to Provide Global Mobile Satellite Services in
the United States

Dear Mr. Caton:

By this letter, ICO Global Communications ("ICO") declares its intent to deliver global mobile satellite services ("MSS") in the United States through its service providers. ICO expects that personal mobile satellite communications in the United States will be delivered no later than January 1, 2000 in the 2 GHz band using ICO first generation space segment and a distribution network of national distributors.¹ Upon finalization of definitive business arrangements, including documentation, Hughes Space & Communications International, Inc. ("Hughes") and COMSAT Corporation ("COMSAT") intend to provide ICO handheld services in the United States and expect

¹ ICO does not intend to provide MSS directly to end users in the United States and therefore does not intend to seek U.S. licensing for ICO space segment. ICO's satellite system is authorized by the United Kingdom, which is also ICO's notifying administration for purposes of the International Telecommunication Union coordination process. The U.K. has already formally requested the international coordination of the ICO satellite network with the United States.

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to apply for blanket mobile earth terminal licenses in the 2 GHz band to provide ICO services.²

The purpose of this letter is to demonstrate ICO's interest in the proposed 2 GHz MSS allocation, and encourage the Commission's timely completion of that allocation in ET Docket 95-18. ICO strongly supports fair and non-discriminatory market access for all global MSS systems. ICO also believes the provision of global MSS at 2 GHz is consistent with the public interest and will produce significant benefits to the U.S. economy for the following reasons:

- U.S. telecommunications companies, *i.e.*, Hughes and COMSAT, represent the largest investment share in ICO with an investment level of more than \$200 million;
- U.S. aerospace and telecommunications companies are currently the largest single benefactors of ICO supplier contracts totaling more than \$2 billion;
- U.S. consumers to the ICO system, including U.S.-located subscribers and U.S. subscribers roaming in the United States and around the world who are eventually expected to number more than one million, will benefit from the provision of affordable high quality telecommunications services within the United States.

Accordingly, ICO believes that the Commission should proceed expeditiously to enable systems such as ICO's to deliver the benefits of global MSS in the United States at 2 GHz. Specifically, the Commission should:

- immediately allocate the proposed MSS spectrum at 2 GHz and simultaneously open a filing window for access to the 2 GHz MSS band;
- promptly establish service rules for MSS at 2 GHz;

² See Letter from Hughes Space and Communications International, to Donald H. Gips, FCC International Bureau regarding File No. 106-SAT-MISC-95 (September 27, 1996); Letter from Howard D. Polsky, COMSAT International Communications Vice President, Legal Affairs, to Donald H. Gips, FCC International Bureau regarding File No. 106-SAT-MISC-95 (September 6, 1996).

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- defer a decision on imposition of “emerging technology” docket relocation rules to MSS at 2 GHz while the MSS and fixed services communities pursue sharing issues for MSS and incumbents at 2 GHz;
- require electronic news gathering (“ENG”) licensees operating in the MSS uplink bands to develop a plan, in conjunction with MSS entities, to vacate the 1990-2025 MHz band, possibly on a time-phased basis; and
- enable non-U.S.-licensed satellite systems such as ICO’s to offer services on a competitive basis in the U.S. market via appropriate service providers on a non-discriminatory basis.

ICO urges the Commission to take timely action on the above elements to enable global and regional MSS systems to provide services in the United States no later than January 1, 2000. This would enable ICO to compete on a non-discriminatory basis with other global MSS systems serving the U.S. market.

Finally, ICO notes that the provision of global MSS in the United States at 2 GHz is consistent with the goals of both the Commission and Congress in fostering the development of new technologies. In proposing the allocation of MSS spectrum at 2 GHz, the Commission explained that MSS “should give the public, especially rural Americans, access to new and competitive services and technologies” and “stimulate economic development and the creation of new jobs in the United States.”³ ICO believes that the services it intends to provide will achieve each of these ends. Furthermore, Commission action allowing ICO to compete with already-licensed regional and global MSS systems in the United States will advance the congressional intent underlying the historic Telecommunications Act of 1996: “to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition.”⁴

³ *Amendment of Section 2.106 of the Commission’s Rules to Allocate Spectrum at 2 GHz for use by the Mobile-Satellite Service*, 10 FCC Rcd 3230, 3231 (1995).

⁴ H.R. Conf. Rep. No. 458, 104th Cong., 2d Sess. 1 (1996).

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Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, two copies of this presentation are being submitted to the Office of the Secretary for inclusion in the public record.

Please direct any questions regarding this letter to the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl A. Tritt", written in a cursive style.

Cheryl A. Tritt

cc: Chairman Reed E. Hundt
Commissioner James H. Quello
Commissioner Rachelle B. Chong
Commissioner Susan Ness
Donald Gips
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Roy J. Stewart
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Jennifer A. Smolker
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